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**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

SUSAN WYATT, an individual,

Plaintiff,

vs.

SEARS, ROEBUCK AND CO., a foreign  
corporation; DOES I-X; ROE  
CORPORATIONS I-X;

Defendants.

Case No. 2-15-cv-02323-RFB-CWH

**STIPULATION AND ORDER TO STAY  
PROCEEDINGS PENDING BINDING  
ARBITRATION**

Defendant Sears, Roebuck and Co. ("Sears") and Susan Wyatt ("Plaintiff"), by and through their respective counsel, hereby stipulate and agree (the "Stipulation") as follows:

1. On October 31, 2015, Plaintiff filed a Complaint in the Eighth Judicial District Court, Clark County, Nevada, alleging three causes of action for: (1) age discrimination in violation of Title VII, the Age Discrimination in Employment Act and NRS 613.310 et. seq.; (2) disability discrimination in violation of the American with Disabilities Act and NRS 613.310 et. seq.; and (3) hostile work environment in violation of Title VII and NRS 613.330;

2. On December 8, 2015, Sears removed the Action to federal court (**Dkt. No. 1**);

3. On December 15, 2015, Sears filed a Motion to Dismiss, or in the Alternative, Motion to Stay Pending Arbitration Proceedings demonstrating that during the course of Plaintiff's employment Plaintiff and Sears entered into a mandatory, binding Arbitration Policy/Agreement (**Dkt. No. 4**); and

1           4.       The proceedings before the Court should be stayed so that this dispute may be  
2 submitted to binding arbitration pursuant to the terms of the Arbitration Agreement.

3 DATED: December 28, 2015

Dated: December 28, 2015

4 JACKSON LEWIS P.C.

DEVNEY LAW FIRM

5  
6 /s/ Sarah T. Bassett

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*Attorneys for Plaintiff*

9 *Attorneys for Defendant*

10  
11 **ORDER**

12           IT IS HEREBY ORDERED that Sears' Motion to Dismiss, or in the Alternative, Motion  
13 to Stay Pending Arbitration Proceedings is moot in light of the instant Stipulation and the above  
14 captioned matter shall be stayed; provided, however, that the Court shall retain jurisdiction  
15 pending the conclusion of the arbitration proceedings.

16           IT IS FURTHER ORDERED that this matter be stayed until May 5, 2016, at which  
17 time a stipulation of dismissal shall be filed, or in the alternative, a status report shall be filed.

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20 RICHARD F. BOULWARE, II  
United States District Judge

21 DATED this 6th day of January, 2016.  
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